

1 Add 2 Cal. Code Regs. Section 18450.1:

2 **18450.1. Definitions. Advertisement Disclosure.**

3 **{Decision Point 1}**

4 **OPTION 1:**

5 (a) For purposes of determining the requirements of Government Code sections
6 84501-84511 to an advertisement, the term “general or public advertisement” means a
7 communication which expressly advocates for or against a candidate for elective office or
8 for a ballot measure, and which includes, but is not limited to the following:

9 1) A televised or radio broadcast (including a cable television broadcast);
10 2) A telephone message that is not solicited by the recipient and is intended for
11 delivery in substantially similar form to more than {Decision Point 1a} [200/500/1,000]
12 persons;

13 3) A direct mailing that is not solicited by the recipient and is intended for delivery in
14 substantially similar form to more than {Decision Point 1b} [200/500/1,000] persons;

15 4) An advertisement in a newspaper, periodical, or magazine of general circulation;

16 5) A poster, yard sign, billboard, campaign button 10 inches in diameter or larger, and
17 bumper sticker 60 square inches or larger;

18 6) An electronic broadcast communication {Decision Point 1c} [including one made
19 on the Internet or] on a web site; and

20 7) Any other form of public broadcast or general print media communication made
21 for the purpose of supporting or opposing a candidate for elective state office or a ballot
22 measure or ballot measures.

1 **(b) For purposes of Government Code section 84506, a “broadcast” advertisement**
2 **means an advertisement included under subdivisions (a)(1), (a)(6), and (a)(7) of this**
3 **regulation.**

4 **(c) For purposes of Government Code section 84506, a “mass mailing” advertisement**
5 **includes an advertisement included under subdivisions (a)(3), (a)(4), and (a)(7) of this**
6 **regulation that also qualifies as a “mass mailing” as defined in Government Code section**
7 **82041.5.**

8 **(d) In addition to the exempted communications in subdivision (b) of Government**
9 **Code section 84501, the following are not an “advertisement”:**

10 **(1) A small promotional item (e.g., pen, pin, etc.) upon which the disclosures**
11 **required by Government Code sections 84503, 84506 and 84507 cannot be**
12 **conveniently printed or displayed, wearing apparel, and skywriting.**

13 **(2) A communication from an organization to its members {Decision Point 2} [, other**
14 **than a communication from a political party to its members].**

15 **(e) This section does not apply to the slate mailer disclosure requirements of**
16 **Government Code section 84305.5.**

17 **(f) The requirements of Government Code sections 84501-84510 apply to**
18 **committees, as defined in subdivision (a) of Government Code section 82013.**

19 **NOTE: Authority cited: Section 83112, Government Code.**
20 **Reference: Sections 84501, 84502, 84503, 84504, 84505, 84506, 84509 and 84510,**
21 **Government Code.**

1 **OPTION 2:**

2 (a) For purposes of determining the requirements of Government Code sections
3 84501-84511 to an advertisement, the term “general or public advertisement” means a
4 communication which expressly advocates for or against a candidate for elective office or
5 for a ballot measure, and which is disseminated to the public via a broadcast or print
6 media communication.

7 (1) A “broadcast or print media communication” means radio or television broadcast,
8 electronic broadcast and mailings, including {Decision Point 1c} [those on the Internet],
9 newspapers, magazines, periodicals, mass mailings and telephone communications
10 intended for delivery to {Decision Point 1a-1b} [200/500/1000] persons, posters, yard
11 signs, campaign buttons 10 inches in diameter or larger, and bumper stickers 60 square
12 inches or larger.

13 (b) In addition to the exempted communications in subdivision (b) of Government
14 Code section 84501, the following items are not an “advertisement”:

15 (1) A small promotional item (e.g., pen, pin, etc.) upon which the disclosures
16 required by Government Code sections 84503, 84506 and 84507 cannot be
17 conveniently printed or displayed, wearing apparel, and skywriting.

18 (2) A communication from an organization to its members {Decision Point 2}
19 [, other than a communication from a political party to its members].

20 (c) This section does not apply to the slate mailer identification requirements
21 of Government Code section 84305.5.

22 (d) The requirements of Government Code sections 84501-84510 apply to
23 committees, as defined in subdivision (a) of Government Code section 82013.

1 NOTE: Authority cited: Section 83112, Government Code.
2 Reference: Sections 84501, 84502, 84503, 84504, 84505, 84506 and 84509,
3 Government Code.